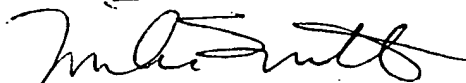


REMARKS

Applicant hereby submits Claims 1-7 that were inadvertently admitted upon filing of this application. Accompanying this preliminary amendment is a petition by the Applicant requesting the original filing date of these claims based on an incorporation by reference to a parent application. Applicant hereby submits that no new matter has been added. The Specification has been edited to remove any reference to FIGURES 26 and 27.

Respectfully submitted,

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MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via First Class Mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Rachel M. Woodard



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: TRIPP, Gary

Attorney Docket No. ARCE-1-1008

Serial No.: 10/688,361

Group Art Unit: 2154

Filing Date: October 17, 2003

Examiner: VU, V.

Title: PEER-TO-PEER AUTOMATED ANONYMOUS ASYNCHRONOUS FILE SHARING

RESPONSE TO DECISION ON PETITION

TO THE COMMISSIONER OF PATENTS:

REMARKS

The Decision on Petition dismissed the petition and indicated that the petitioner has submitted neither Claims 1-6 nor an amendment which directs the entry of Claims 1-7.

Applicant submits that a copy of the Response to Notice of Incomplete Nonprovisional Application was mailed with the petition. Page 3 of that document included Claims 1-6. Attached is a copy of that document and a copy of the postcard stamped by O.I.P.E. that indicates that the response to Notice of Incomplete Nonprovisional Application (5 pages) was received by the U.S. Patent Office. Thus, Applicant submits that the application was amended to include Claims 1-7 and that these Claims are identical to Claims 1-7 that were cancelled in the parent application.

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Therefore, Applicant submits that the Application is now in condition for review and therefore should be reinstated.

Respectfully submitted,

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